

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

IN RE:	§	
Showcase Systems, Inc.	§	CASE NO. 18-60028
xx-xxx1272	§	
1132 FM 10, Carthage, TX 75633	§	CHAPTER 7
Debtor	§	

**MOTION FOR AUTHORITY TO SELL PROPERTY
OF THE BANKRUPTCY ESTATE AND NOTICE TO CREDITORS
(OFFICE FURNITURE, DECORATIVE ITEMS, COMPUTER EQUIPMENT, TOOLS,
EQUIPMENT, MACHINERY, INVENTORY AND VEHICLES)**

21-DAY NEGATIVE NOTICE – LBR 9007(a):

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.

No hearing will be conducted on this Motion unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Michael J. McNally, Chapter 7 Trustee (“Trustee”), files this Motion for Authority to Sell Property Of The Bankruptcy Estate And Notice To Creditors (Office Furniture, Decorative Items, Computer Equipment, Tools, Equipment, Machinery, Inventory and Vehicles) pursuant to 11 U.S.C. § 363(b), Fed. R. Bankr. P. 6004 and LBR 6004, and in support would show the Court as follows:

1. This proceeding was commenced by the voluntary filing of a Chapter 7 on January 19, 2018.

2. Trustee is the duly appointed and acting Chapter 7 Trustee of the Debtor's bankruptcy estate.

3. The assets of the Debtor's estate which Trustee seeks authority to sell are Trustee's interest in office furniture, decorative items, computer equipment, tools, equipment, machinery, inventory (collectively referred to as the "Property").

4. Trustee is aware of no perfected lien claims against the Property.

5. By Application filed February 2, 2018, Trustee seeks to employ auctioneer Rosen Systems, Inc. ("Auctioneer") to sell the Property by public internet auction. The proposed compensation for the Auctioneer is actual expenses plus a 10% buyer's premium all subject to further Court approval. This Motion is subject to approval of the pending Application to employ Auctioneer.

6. The terms of the proposed sale are as follows:

- a. Cash.
- b. "As is, where is".
- c. Trustee makes no warranties of any kind.
- d. Trustee is not aware of any perfected liens.
- e. Assignment will convey all right, title and interest of the Trustee herein, free and clear of all liens, claims and encumbrances without warranty. Any valid lien claims shall follow the net proceeds of sale.
- f. As per the customary auction rules to be published by Auctioneer.

WHEREFORE, premises considered, Trustee respectfully requests this Court approve the sale of the Property as set forth above and that Trustee be granted such other and further relief to which he may be justly entitled.

Respectfully submitted,

MCNALLY & PATRICK L.L.P.

By: /s/ Michael J. McNally
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Attorneys for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served by either electronic means or first class mail, postage prepaid on the Debtor, Showcase Systems, Inc., 1132 FM 10, Carthage, TX 75633, Debtor's attorney, Callan Clark Searcy, PO Box 3929, Longview, TX 75606, Panola County, c/o Tab Beall, Perdue, Brandon, Fielder, Collins & Mott, LLP, PO Box 2007, Tyler, TX, 75710-2007, U. S. Trustee, 110 N. College, Suite 300, Tyler, TX 75702, and the attached mailing matrix on February 15, 2018.

/s/ Michael J. McNally